



Entered on Docket  
October 13, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

Rob Charles (NV 6593)  
John Hinderaker (AZ 018024)  
Marvin Ruth (NV 10979)  
3993 Howard Hughes Parkway, Ste. 600  
Las Vegas, Nevada 89169-5996  
Telephone (702) 949-8320  
Facsimile (702) 949-8321  
Email: [rcharles@lrlaw.com](mailto:rcharles@lrlaw.com)  
[jhinderaker@lrlaw.com](mailto:jhinderaker@lrlaw.com)  
[mruth@lrlaw.com](mailto:mruth@lrlaw.com)

*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,<sup>1</sup>

USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,<sup>2</sup>

USA SECURITIES, LLC,<sup>3</sup>

Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR<sup>1</sup>  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>2</sup>  
Case No. BK-S-06-10729-LBR<sup>3</sup>

**CHAPTER 11**

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING EIGHTEENTH  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM BASED  
UPON INVESTMENT IN THE BAY  
POMPANO BEACH LOAN**

Hearing Date: October 5, 2009  
Hearing Time: 9:30 a.m.

<sup>1</sup> This bankruptcy case was closed on September 23, 2008.

<sup>2</sup> This bankruptcy case was closed on October 12, 2007.

<sup>3</sup> This bankruptcy case was closed on December 21, 2007.

1 The Court having considered the “Eighteenth Omnibus Objection of USACM Trust  
2 to Proofs of Claim Based Upon Investment in the Bay Pompano Beach Loan” [Docket No.  
3 7440] (the “Objection”); with appropriate notice of the Objection having been given; no  
4 responses having been filed; and good cause appearing:

5 **IT IS HEREBY ORDERED** that:

- 6 1. The Objection is sustained;
- 7 2. The claims listed on **Exhibit A** attached are allowed as general  
8 unsecured claims for the amount shown on Exhibit A as Unremitted  
9 Principal; and
- 10 3. The remainder of those claims listed on **Exhibit A** are disallowed in  
11 their entirety.
- 12

13 PREPARED AND RESPECTFULLY SUBMITTED BY:

14 **LEWIS AND ROCA LLP**

15 By /s/ Marvin Ruth (#10979)

16 Rob Charles  
17 John Hinderaker  
18 Marvin Ruth

19 3993 Howard Hughes Parkway, Ste. 600

20 Las Vegas, Nevada 89169-5996

21 Telephone: (702) 949-8200

22 Facsimile: (702) 949-8398

23 *Attorneys for USACM Liquidating Trust*  
24  
25  
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In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in this case.
- ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below (list each party and whether the party has approved, disapproved, or failed to respond to the document):

U.S. Trustee: August Landis	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

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Submitted by:

**LEWIS AND ROCA LLP**

By: /s/ Marvin Ruth (#10979)  
 Rob Charles  
 John Hinderaker  
 Marvin Ruth  
*Attorneys for USACM Liquidating Trust*

USACM Liquidating Trust  
**PROOFS OF CLAIM BASED UPON INVESTMENT IN THE BAY POMPANO BEACH  
 LOAN  
 EIGHTEENTH OMNIBUS OBJECTION**

<b>Claim</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Unremitted Principal to be Allowed as Claim</b>	<b>Approximate Amount Subject to Objection</b>
<b>10725-02151</b>	Gilbert Jr, Elmer Eugene	81590 Chenel RD Folsom, LA 70437	12,951.80	-	12,951.80
<b>10725-01137</b>	Leblanc, Joan	Po Box 6434 Incline Village, NV 89450	136,921.39	-	136,921.39
<b>10725-02406</b>	Omaye, Annie	1846 Three Mile Dr Reno, NV 89509	14,063.73	-	14,063.73
<b>10725-01513</b>	Rosalie Allen Morgan Trust Dtd 1/31/03	C/O Rosalie Allen Morgan Ttee 6869 Eagle Wing Dr Sparks, NV 89436- 8496	12,951.80	-	12,951.80
<b>10725-02152</b>	Ramsey, Aaron S & Lara	7713 N 41St St Niwot, CO 80503	76,518.00	12,285.97	64,232.03